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AMIN & TUROCY, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114

EXAMINER
MOFIZ, APU M

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/764,088	HORVITZ ET AL.
	Examiner	Art Unit
	Apu M. Mofiz	2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 March 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant's arguments filed March 03, 2005 with respect to claims 1-22 have

been considered but are moot in view of the new ground(s) of rejection.

Examiner's Response to Applicant's Remarks

2.   Examiner's Responses to Applicant's Remarks (pages 6-8) are listed below:

3.   Applicant argues (under REMARKS section) that, Ford does not teach "A profile

definition and selection system that receives contextual information relating to a current

user state, the profile definition and selection system generating and/or relaying a set of

control parameters based at least partially upon the contextual information."

       Examiner respectfully disagrees. Ford teaches a profile definition and selection

system (i.e., *"If the calendar owner wishes to find other information about the final destination, such as*

the weather or suggested restaurants, this information can also be found by surfing the Internet at various

sites that contain this type of information." ... *"There are ways that this is accomplished for the world of*

"connected devices" that involve the connected device checking the source of the data on a periodic basis

and alerting the user if certain parameters are met." ... *"According an aspect of the invention, the*

storage device 26 includes a calendar program, an electronic agent 34, and a user profile 36." ... *"The*

message can be forwarded in any of several ways, including a pager message, a short message under the

SMS telephone protocol, or via a SMTP E-mail." ... *"The system of the present invention: provides the*

user a method (through GUI interface) to specify the data to be forwarded and the time parameters (e.g.,

how often to check); works with varied types of data; the types of data included are: E-mail, Calendar

entries, HTML data" ... *"A decision 54 is made to determine whether an urgent message is required. If it*

is not, the process continues at step 52. If an urgent message is required one is sent to the client in step

56." ... *"The agent 34 uses the plug-in architecture of the server base 106 to specify what data to keep*

track of, and to specify where to forward the data. The Notification agent then queries the data source

periodically and, if the user conditions are met, forward the data to the specified location." The

preceding text excerpts from Ford clearly indicates that the GUI interface (reads on applicant's profile

definition and selection system) relays user contextual information control parameters to the notification

agent/server. A notification system is a software entity that notifies user when an event occurs. In this

case the user may be interested in weather forecast or it can be any data at various web sites e.g., stock

data etc. The user may be interested to receive the notification message by email or by telephone. The

user may be only interested in urgent messages in a time but all the messages in other time. The

notification system can't guess these user preferences unless user informs the notification system through

some parameters. The meaning of *"parameter"* by Microsoft technical dictionary is *"In programming, a*

value that is given to a variable, either at the beginning of an operation or before an expression is

evaluated by a program. A parameter can be text, a number, or an argument name assigned to a value

that is passed from one routine to another." Therefore the GUI interface routine sends the user

preferences in the form of parameters to the notification system. One of these parameters is the time

parameter that the GUI relays to the notification system. The Applicant argues that these parameters are

not based in part on the contextual information relating to a user state. The meaning of context in

Webster dictionary is *"the interrelated conditions in which something exists or occurs"*. The user may be

interested in weather or stock forecasts. But if the user is busy then he/she does not want to receive

weather messages every hour. He/she may be interested to receive weather notification message only in

the morning. The user defines what constitutes an urgent notification message. When the user is busy,

he/she only wants to receive urgent notification messages. The user may not be interested to receive

notification messages in his/her phone at his/her busy time. He/She may only be interested to receive e-

mail notification at the time. Therefore, the frequency of notification messages or the medium can be

changed. The notification system has to be informed of user choices through the GUI interface. The

notification system does not guess user's intentions magically. All these information relate to a user state

and therefore be considered "contextual information relating to a current user state.") (col 1, lines 60-67;

col 2, lines 1-15; col 3, lines 20-67; col 4, lines 1-25) that receives contextual information (col 1,

lines 60-67; col 2, lines 1-15; col 3, lines 20-67; col 4, lines 1-25) relating to a current user state (

col 1, lines 60-67; col 2, lines 1-15; col 3, lines 20-67; col 4, lines 1-25), the profile definition and

selection system (col 1, lines 60-67; col 2, lines 1-15; col 3, lines 20-67; col 4, lines 1-25)

generating and/or relaying a set of control parameters (col 1, lines 60-67; col 2, lines 1-15; col

3, lines 20-67; col 4, lines 1-25) based at least partially upon the contextual information (col

1, lines 60-67; col 2, lines 1-15; col 3, lines 20-67; col 4, lines 1-25).

Any other arguments by the applicant are more limiting than the claimed

language.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 .

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5.   Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Ford et

al. (U.S. Patent No. 6,510,424 and Ford hereinafter).

As to claim 1, Ford teaches a notification system (i.e. the system with the

intelligent notification agent) (col 3, lines 20-67), comprising; a profile definition and

selection system (i.e. the computer system that receives the user's choices, state etc.

and relays these choices to create a user profile indicating user's current choices) (col

3, lines 20-67; col 4, lines 1-34) that receives contextual (i.e., the meaning of context in

Webster dictionary is "the interrelated conditions in which something exists or occurs".

E.g., the contextual information would be user's choice of specifying which data is

urgent or when or how the user should be notified etc. The user sets the

conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34) information relating to a current user state (i.e., the user

has the option of specifying the user's choices through various parameters/variables,

and the notifying agent tracks the user profile, which reflects user's current

choices/conditions and performs/acts accordingly.) (col 3, lines 20-67; col 4, lines 1-34),

the profile definition (col 3, lines 20-67) and selection system (col 3, lines 20-67; col 4, lines 1-34) generating and/or relaying a set of control parameters (e.g. time parameters) (col 3, lines 20-67; col 4, lines 1-34) based at least partially upon the contextual information (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34); and a notification manager (i.e. the notifying agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) that selectively sends a user at least one of a notification (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and a communication based upon the set of control parameters (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 2, Ford teaches that the profile definition (i.e. the user profile) (col 3, lines 20-67) and selection system (i.e. the computer system that receives the user's choices, state etc.) (col 3, lines 20-67; col 4, lines 1-34) is a user context component (i.e. the entity/component keeps the user defined contexts) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 3, Ford teaches that the user context component (i.e. the entity/component keeps the user defined contexts) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) selects at least one of M (i.e. M=1) user profiles, M being an integer (i.e. 1 is an integer), based upon the contextual information (i.e., the meaning of context in Webster dictionary is "the interrelated conditions in which something exists or occurs". E.g., the contextual information would be user's choice of specifying which data is urgent or when or how the user should be notified etc. The user sets the

conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34), the user profiles (i.e., the meaning of context in Webster

dictionary is "the interrelated conditions in which something exists or occurs". E.g., the

contextual information would be user's choice of specifying which data is urgent or

when or how the user should be notified etc. The user sets the conditions/rules/context

for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines

1-34) including at least one of N (i.e. at least one time parameter. The meaning of

context in Webster dictionary is "the interrelated conditions in which something exists or

occurs". E.g., the contextual information would be user's choice of specifying which data

is urgent or when or how the user should be notified etc. The user sets the

conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34) user context variables (i.e. the system works with varied

types of data. Therefore it requires variables to store varied types of data or user set

values) (i.e., the meaning of context in Webster dictionary is "the interrelated conditions

in which something exists or occurs". E.g., the contextual information would be user's

choice of specifying which data is urgent or when or how the user should be notified etc.

The user sets the conditions/rules/context for the notifying agent to notify the user.)

(Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) to define different states (i.e., the

meaning of context in Webster dictionary is "the interrelated conditions in which

something exists or occurs". E.g., the contextual information would be user's choice of

specifying which data is urgent or when or how the user should be notified etc. The user

sets the conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig.

2; col 3, lines 20-67; col 4, lines 1-34) associated with a user (i.e., the meaning of

context in Webster dictionary is "the interrelated conditions in which something exists or

occurs". E.g., the contextual information would be user's choice of specifying which data

is urgent or when or how the user should be notified etc. The user sets the

conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34).

As to claim 4, Ford teaches that the user profiles define at least one state relating

to when (i.e. user sets the time parameter for the notifying agent how often to check the

messages) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34), what (i.e., what

message constitutes an urgent message) (Abstract; Fig. 2; col 3, lines 20-67; col 4,

lines 1-34), how (i.e. notified through email, pager or phone) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34) and where (i.e. at which email address or which phone

number) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 5, Ford teaches that the user profiles are provided via at least one of

default files (i.e. the file system the notifying system supports) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34), prototype files, and survey directed files (Abstract; Fig. 2;

col 3, lines 20-67; col 4, lines 1-34).

As to claim 6, Ford teaches that the user context component selects at least one

of M (i.e. M=1) context profiles (i.e. the user profile) (col 3, lines 20-67), M being an

integer, based upon the contextual information (i.e., the meaning of context in Webster

dictionary is "the interrelated conditions in which something exists or occurs". E.g., the

contextual information would be user's choice of specifying which data is urgent or

when or how the user should be notified etc. The user sets the conditions/rules/context

for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines

1-34), the context profiles (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) including

at least one of N (i.e. at least N=1) user context variable (i.e. at least one time

parameter. The meaning of context in Webster dictionary is "the interrelated conditions

in which something exists or occurs". E.g., the contextual information would be user's

choice of specifying which data is urgent or when or how the user should be notified etc.

The user sets the conditions/rules/context for the notifying agent to notify the user. The

system works with varied types of data. It requires variables to store these varied types

of data.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) sets to define different

states (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) associated with a user

(Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 7, Ford teaches that the context profiles (i.e. the user profile) (col 3,

lines 20-67) are associated with a tuning value (i.e. user can adjust when and how often

(i.e. increase or decrease or tune) to receive notifications by the notification agent)

(Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) that is employed to adjust the

notification manager (i.e. the notification agent) (Abstract; Fig. 2; col 3, lines 20-67; col

4, lines 1-34).

As to claim 8, Ford teaches that the tuning value increases or decreases (i.e. user can adjust when and how often (i.e. increase or decrease or tune) to receive notifications by the notification agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) an amount of notifications associated with the context profiles (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34)..

As to claim 9, Ford teaches that the context profiles are defined as at least one of an empty set, a single set and a multiple set of context parameters (i.e. there may or may not have user defined parameters; and empty set is a set with no members; a single set has one member and a multiple set has multiple members; In another word it is a universe set; Ford teaches that the user can set various parameters/rules in the profile.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) acting upon the notification manager (i.e. the notification agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 10, Ford teaches a user interface (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) for adjusting the control parameters (i.e. user can adjust when and how often (i.e. increase or decrease or tune) to receive notifications by the notification agent using a GUI) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 11, Ford teaches that the user interface includes sliding adjustments (i.e. user can adjust when and how often (i.e. increase or decrease or tune or slide) to receive notifications by the notification agent using a GUI) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) to enable the control parameters (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) to be increased or decreased (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 12, Ford teaches that the user interface (i.e. user can adjust when and how often (i.e. increase or decrease or tune or slide) to receive notifications by the notification agent using a GUI) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) utilizes display feedback to indicate anticipated system performance (i.e. the user can specify a SMS address, but some forms of data may not be viewable on the pager or SMS phone. The user will be notified of the systems inability to deliver the message. Therefore user will be notified of the performance of the system.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) effects based upon the user the adjustments (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 13, Ford teaches that the display feedback is determined from past system performance (i.e. the user can specify a SMS address, but some forms of data may not be viewable on the pager or SMS phone. The user will be notified of the systems inability to deliver the message. Therefore user will be notified of the past

performance (i.e. the system was unable to deliver the data, which happened in the

past) of the system.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 14, Ford teaches a signal facilitating communications (Fig. 1) in a

notification system (i.e. the system with the intelligent notification agent) (col 3, lines 20-

67), comprising: a data packet for communicating (i.e. internet is a packet based

communication system) (col 2, lines 60-61) contextual information (i.e., the meaning of

context in Webster dictionary is "the interrelated conditions in which something exists or

occurs". E.g., the contextual information would be user's choice of specifying which data

is urgent or when or how the user should be notified etc. The user sets the

conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34) associated with a notification manager (i.e. the notification

agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and a user context

component, the user context component (i.e. the entity/component keeps the user

defined contexts) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) determining the

contextual information (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34); the signal

providing at least one adjustment (i.e. time parameter) (Abstract; Fig. 2; col 3, lines 20-

67; col 4, lines 1-34) to the notification manager (Abstract; Fig. 2; col 3, lines 20-67; col

4, lines 1-34) relating to the contextual information (Abstract; Fig. 2; col 3, lines 20-67;

col 4, lines 1-34).

As to claim 15, Ford teaches at least a portion of the contextual information (i.e.,

the meaning of context in Webster dictionary is "the interrelated conditions in which

something exists or occurs". E.g., the contextual information would be user's choice of

specifying which data is urgent or when or how the user should be notified etc. The user

sets the conditions/rules/context for the notifying agent to notify the user.) (Abstract; Fig.

2; col 3, lines 20-67; col 4, lines 1-34) relating to a current geographic location (i.e. a

phone number and a phone number is associated with a geographic location) (Abstract;

Fig. 2; col 3, lines 20-67; col 4, lines 1-34) of a user (Abstract; Fig. 2; col 3, lines 20-67;

col 4, lines 1-34).

As to claim 16, Ford teaches the notification manager (i.e. notification agent)

(Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) selects one of a plurality of

communications devices (i.e. a phone or handheld device) (Abstract; Fig. 2; col 3, lines

20-67; col 4, lines 1-34) based at least in part upon the contextual information (i.e., the

meaning of context in Webster dictionary is "the interrelated conditions in which

something exists or occurs". E.g., the contextual information would be user's choice of

specifying which data is urgent or when or how the user should be notified etc. The user

sets the conditions/rules/context for the notifying agent to notify the user. E.g., the user

wants the notification to go to the pager) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines

1-34) and relays a message to the selected communications device (Abstract; Fig. 2;

col 3, lines 20-67; col 4, lines 1-34).

As to claim 20, Ford teaches a notification system (i.e. the system with the intelligent notification agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34), comprising; a rules-based system (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) operative according to one or more rules (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34), the rules-based system receives contextual information (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) relating to a user state (i.e. the user specifies the rules/parameters indicating the user's choices) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and generates a set of control parameters (i.e. user's choices has to be transformed into some parameters e.g., time parameters so that the notification agent can read these parameters) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) based upon the contextual information (i.e., the meaning of context in Webster dictionary is "the interrelated conditions in which something exists or occurs". E.g., the contextual information would be user's choice of specifying which data is urgent or when or how the user should be notified etc. The user sets the conditions/rules/context for the notifying agent to notify the user. E.g., the user wants the notification to go to the pager) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and the one or more rules (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34); and a notification manager (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) that selectively sends a notification (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) based upon at least one of the set of control parameters (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and the one or more rules (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 21, Ford teaches a user interface to at least one of employ, refine,

and view sets of logical IF-THEN rules (i.e. rules is a genus of IF-THEN rule species

and therefore anticipates IF-THEN rule) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines

1-34) that define policies (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) and

related controls for the policies (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

As to claim 22, Ford teaches that the related controls (Abstract; Fig. 2; col 3,

lines 20-67; col 4, lines 1-34) further comprising at least one of thresholds, message-

chunking, and one or more preferred devices (i.e. phone or pager) (Abstract; Fig. 2; col

3, lines 20-67; col 4, lines 1-34).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ford et al. (U.S. Patent No. 6,510,424 and Ford hereinafter) in view of Jinsoo Park et

al., An Adaptive Agent-Based Framework for Knowledge Management and Sharing,

1999, pages 1-7 and (Park hereinafter).

As to claim 17, Ford teaches a notification system that collects notification behavior (i.e., user choices which comprises choices corresponding to notification behavior) from the user (col 3, lines 20-67), wherein a notification manager (i.e. the notification agent) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34) selectively sends a communication based upon the behavior (i.e. based upon user set parameters) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

Ford does not explicitly teach an adaptive component that automatically tunes one or more parameters by collecting feedback about user behavior during a training phase;

Park teaches an adaptive component that automatically tunes one or more parameters by collecting feedback about user behavior during a training phase (i.e., *"In addition, tracking users changing interests turns into another important issue to knowledge providers, in that they should recommend new information that might be helpful to users. The objective of our research is to develop an adaptive, autonomous agent-based system for knowledge management and sharing among knowledge seekers and providers"* ... *"User profiles consist of information about the users that has bearing on their information needs. A variety of factors could be used to describe a users interests."* ... *"To develop user profiles, the profiling agent first collects information about users interest. Such information is provided by the user through the user interface agent. Additional information, such as the users searching history and behavior, combined with the user feedback is automatically captured by PA and are stored in KB as their personal profiles after mapping with the User Profile Ontology (UPROL)."* The preceding text excerpts from Park clearly indicates that the profiling agent collects and adapts to user feedback about user behavior automatically through a user interface agent.) (page 1; page 3) ;

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Ford with the teachings of Park to include an adaptive component that automatically tunes one or more parameters by collecting feedback about user behavior during a training phase with the motivation to provide a system for users changing interest (Park, page 1).

As to claim 18, Ford does not teach that the adaptive component further comprises a history for at least one of tracking, reporting, and summarization of changes for users.

Park teaches that the adaptive component (i.e. *"Collaborative Agents Profiling Agent (PA). This agent captures users characteristics to help the system reason about the most suitable actions to take. PA first constructs user profiles with the information provided by the users, (e.g., their interests). Further, PA automatically adapts to user interest changes by relevance feedback from the users."* ... *"Case-Based Reasoning (CBR) is a reasoning paradigm used in the AI to build systems that, in one way or another, use knowledge in the form of previous experiences for inspiration in solving new problems."* The preceding text excerpts clearly indicate that the system records previous experiences (which includes users previous interests)/ history.) (page 4).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Ford with the teachings of Park to include that the adaptive component further comprises a history for at least one of tracking, reporting, and summarization of changes for users with the motivation to provide a system for users changing interest (Park, page 1).
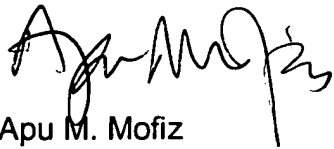
As to claim 19, Ford teaches that the feedback includes at least one of "I am busy now, that was not worth it in this contexts", "I'd like to be getting more email," and I am being bothered too much with this facility." (i.e. how often notification agent should check for messages and forward the messages to the user.) (Abstract; Fig. 2; col 3, lines 20-67; col 4, lines 1-34).

Points of Contact

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (571) 272-4083. The fax numbers for the group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Apu M. Mofiz
Patent Examiner
Technology Center 2100

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